

the expiration of every thirty minutes; when the notes taken will be immediately transcribed, and be subject to revision, if desired.

In this connection I present for your consideration the following comparative approximate statement of cost:

|  | PER DAY. | PER MO.    |
|--|----------|------------|
| 2,000 copies, 32 pages, of "Legislative Record" in present form cost the State | \$70.00  | \$2,100.00 |
| 30 newspapers to each of 140 members at 3 cents .....                          | 126.00   | 3,780.00   |
| Total per day ....   | \$196.00 |            |
| Total per month..  |          | \$5,880.00 |

#### MY PROPOSITION.

|  | PER DAY. | PER MO.    |
|--|----------|------------|
| 4,000 copies, 48 pages each of "Legislative Record," containing verbatim report of entire proceedings of both Houses ..... | \$129.03 | \$3,870.90 |
| For compensation of stenographers.....   | 63.33    | 1,900.00   |
| Total per day.....   | \$192.36 |            |
| Total per month...   |          | \$5,770.90 |
| Balance in favor of my proposition, \$109.10 per month.  |          |            |

Respectfully,

THOMAS H. WHELESS.

Senator Glasscock moved to amend by adding that the committee should report as early as it is practicable.

Amendment accepted and resolution adopted.

The President appointed Senators Burney, Harrison, Glasscock, Armistead and Lane on the committee.

By Senator Douglass of Grayson:

A bill to be entitled "An act to amend Article 1653, title 33, of the Revised Statutes.

Referred to Judiciary Committee No. 1.

And a bill to be entitled "An act to amend an act to amend Article 4, title 2, of the Revised Statutes."

Referred to Judiciary Committee No. 1.

The resolution to appoint a general committee clerk was taken up and adopted.

The following message, through a committee appointed for the purpose

of conveying it, was received from the House, as follows:

*Mr. President:*

We are instructed by the House to inform your honorable body that the House has completed its organization, and is now ready for the transaction of such business as may come before it.

McGAUGHY, for Committee.

Senators Simkins, Burges and McDonald were appointed on the committee to perfect arrangements for counting the vote for Governor and Lieutenant Governor, and to make arrangements for the inauguration of these officers.

On motion of Senator Lane,

Senator Simkins was added to the Committee on Education.

Senator Houston moved that the committees be declared full.

Lost.

Senator Pope entered a motion to reconsider the vote by which the motion of Senator Harrison to refer the resolution to take fifty copies of papers to a special committee was lost.

After the morning call, Senator MacManus announced the death of the Hon. E. F. Hall, late a member of the Senate, and out of respect to the memory of Senator Hall, on Senator MacManus' motion,

The Senate adjourned till 10 o'clock to-morrow morning.

#### FOURTH DAY.

SENATE CHAMBER,

AUSTIN, TEXAS, January 14, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Stinson,

The reading of the Journal of yesterday was dispensed with.

#### PETITIONS AND MEMORIALS.

By Senator Armistead:

Memorial from citizens of Marion county praying for legislative power to organize co-operative stores.

Referred to Judiciary Committee No. 1.

The following message was received from the House, informing the Senate of the passage of the following resolutions, etc.:

Resolved, That a committee of three members of this House be appointed by the Speaker, to act with a like committee from the Senate, for the purpose of making an equal division of the several rooms in the third story of the temporary capitol, for the use of the two Houses, and that Messrs. Kirlicks, Jarrott and Baylor have been appointed said committee upon the part of the House.

Resolved, That a special joint committee of five members of the House be appointed by the Speaker to confer with a like committee of the Senate to consider the accompanying proposition of Thos. H. Wheless, to make a verbatim stenographic report of the proceedings of the Legislature to be published in the form of a "Legislative Record," in lieu of the Journals as heretofore printed.

And that Messrs. Camp, Faubion, Gresham, Browning and Mills have been appointed on said committee.

By Senator Calhoun:

Sundry memorials from citizens of Stephens county, asking legislative relief on account of the drouth.

On motion of Senator Calhoun,

A special committee of five was appointed to consider all petitions and memorials pertaining to that subject, and had the present memorials referred to that committee.

The President appointed the following Senators to constitute the committee: Senators Calhoun, Douglass of Jefferson, Houston, Frank and Stinson.

#### SPECIAL COMMITTEE REPORTS.

Senator Simkins made the following report:

COMMITTEE ROOM, }  
AUSTIN, January 14, 1887. }  
*Hon. Barnett Gibbs, President of the Senate, and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:*

The joint committee appointed to arrange the time, place and manner of opening and publishing the election returns for the Governor and Lieutenant Governor of the State and to make all necessary arrangements for the inauguration and installation of said officers, beg leave to submit the following report:

1. The said returns shall be opened and published in the manner prescribed by the Constitution at 11 o'clock a. m., January 15, 1887, in

the hall of the House of Representatives.

2. The Senate shall assemble in joint session with the House of Representatives, in the hall of the House of Representatives at 12 o'clock, m., on Tuesday, January 18, A. D., 1887, to witness the inauguration and installation of the Governor and Lieutenant Governor elect, and that Judge A. S. Walker administer the oath of office to those officials, and that the public generally be invited to be present at the inauguration.

E. J. SIMKINS,  
Chairman Senate Committee,  
BELL OF DENTON,  
Chairman House Committee.

On motion of Senator Terrell,  
The report was adopted and the committee was discharged.

#### STANDING COMMITTEE REPORTS.

By Senator Terrell:

COMMITTEE ROOM. }  
AUSTIN, January 13, 1887. }  
*Hon. Barnett Gibbs, President of the Senate:*

Your Judiciary Committee, to which was referred Senate bill No. 5, entitled "An act to amend Article 1653, chapter 33, of the Revised Statutes," have carefully examined the same, and instruct me to report it back to the Senate with the recommendation that it do pass.

The bill makes the descendants of a deceased spouse inherit one-half of the community estate, instead of limiting the inheritance of such half to the children alone.

All of which is respectfully submitted,

TERRELL, chairman.

The bill was read first time.

COMMITTEE ROOM }  
AUSTIN, January 13, 1887. }  
*Hon. Barnett Gibbs, President of the Senate:*

Your Judiciary Committee No. 1, to which was referred Senate bill No. 21, entitled "An act to amend an act to amend Article 4, title 2, of the Revised Statutes," have carefully examined the same, and instructed me to report it back to the Senate with the recommendation that it do pass.

The bill seeks to permit justices of the peace to administer oaths.

TERRELL, Chairman.

The bill was read first time.

By Senator Bell:

COMMITTEE ROOM, }  
AUSTIN, January 13, 1887. }  
*Hon Barnett Gibbs, President of the Senate:*

Sir—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 7, entitled "An act to prohibit and punish dealing in futures, and to repeal an act entitled 'an act to amend chapter 2, title 2 of the Penal Code of the State of Texas, by adding thereto Article 354a,'" approved March 31, 1885, have carefully examined the same, and instruct me to report the same back to the Senate with the recommendation that it do pass.

The bill seeks to substantially reenact an act which was adopted at the last session of the Legislature for the suppression of dealing in futures and what is commonly known as bucket shops, but which has been supposed by many, and held by some judges to be nugatory on account of certain defects in the methods of its adoption.

All of which is respectfully submitted.

BELL, Chairman.

The bill was read first time.

#### BILLS AND RESOLUTIONS.

By Senator Garrison:

A bill to be entitled "An act making an appropriation for the mileage and per diem pay of the members and the per diem pay of the officers and employes of the Twentieth Legislature."

Referred to Committee on Finance.

By leave, Senator Houston submitted a memorial from the citizens of Wilbarger county touching the drouth question, and had it referred to special Drouth Relief Committee.

Senator Claiborne offered the following resolution:

Resolved, That three hundred copies of the rules of the Senate be published for the use of the Senate, and that the Constitution of the State and of the United States be published in connection with said rules; also a list of Senators, with their place of residence here in the city and their postoffices at home, together with a full list of the committees, and the name of the Senators composing the same.

Senator Houston offered the following amendment:

Amend by adding "Under supervision of the Committee on Rules."

Accepted.

Senator Pope moved to amend as follows:

Strike out that portion which provides for publication of the Constitution.

Adopted by the following vote:

#### YEAS—19.

|                 |           |
|-----------------|-----------|
| Abercrombie,    | Gregg,    |
| Armistead,      | Harrison, |
| Burges,         | Jarvis,   |
| Calhoun,        | McDonald, |
| Camp,           | Pope,     |
| Davis,          | Simkins,  |
| Douglass of J., | Stinson,  |
| Douglass of G., | Woods,    |
| Field,          | Woodward. |
| Garrison,       |           |

#### NAYS—12.

|            |           |
|------------|-----------|
| Allen,     | Houston,  |
| Bell,      | Knittle,  |
| Burney,    | Lane,     |
| Claiborne, | MacManus, |
| Frank,     | Terrell,  |
| Glasscock, | Upshaw.   |

The resolution, on motion of Senator Harrison, was referred to the Committee on Rules with discretionary powers to report such publication as the committee may think advisable.

Senator Terrell moved to reconsider the vote by which the resolution was referred.

The motion to reconsider was lost by the following vote.

#### YEAS—9.

|           |          |
|-----------|----------|
| Burges,   | Simkins, |
| Burney,   | Stinson, |
| Garrison, | Terrell, |
| Knittle,  | Upshaw.  |
| McDonald, |          |

#### NAYS—21.

|                 |            |
|-----------------|------------|
| Abercrombie,    | Frank,     |
| Allen,          | Glasscock, |
| Armistead,      | Gregg,     |
| Bell,           | Harrison,  |
| Calhoun,        | Jarvis.    |
| Camp,           | Lane,      |
| Claiborne,      | MacManus,  |
| Davis,          | Pope,      |
| Douglass of J., | Woods,     |
| Douglass of G., | Woodward.  |
| Field,          |            |

#### ABSENT—1.

Houston.

Senator MacManus rose to a question of privilege, protesting against the exhibition of a pool gaming announcement in the front of the main entrance of the temporary capitol building construing the same to be an insult to the dignity and honor of the members of the Legislature and the people of

Texas, and offered the following resolution:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to remove from the front of the capitol a blackboard containing an advertisement or public announcement of the time and place where parties can join in a gambling operation known as pool, based on the approaching election by the Legislature of a United States Senator, and that it shall be unlawful to post such notices or others of like purport or character in the vicinity of the State capitol.

Adopted.

On motion of Senator Douglass of Jefferson, the vote by which the resolution was adopted was reconsidered.

Senator Glasscock offered the following substitute:

Be it resolved by the Senate, That it is the express wish of the Senators that the person placing the black board in front of the State house indicating pools or bets on the election of United States be removed.

Lost.

On motion of Senator Houston, the substitute together with the resolution was tabled.

Senator Garrison offered the following resolution:

Resolved, That an Assistant Doorkeeper be elected by the Senate, and that the Senate do now proceed to said election, and he shall receive the same pay as other officers of the Senate.

Senator Woods raised the point of order that as a resolution offered on yesterday to appoint an Assistant Doorkeeper was voted down, the present resolution was out of order in that it is contrary to the Constitution.

The point of order was not sustained.

Senator Allen moved to table the resolution.

The resolution was adopted by the following vote:

YEAS—19.

|                 |           |
|-----------------|-----------|
| Armistead,      | Harrison, |
| Bell,           | Houston,  |
| Burges,         | Knittle,  |
| Camp,           | MacManus, |
| Claiborne,      | Pope,     |
| Davis,          | Stinson,  |
| Douglass of J., | Terrell,  |
| Garrison,       | Upshaw,   |
| Glasscock,      | Woodward. |
| Gregg,          |           |

NAYS—12.

|              |                 |
|--------------|-----------------|
| Abercrombie, | Calhoun,        |
| Allen,       | Douglass of G., |
| Burney,      | Field,          |

Frank,  
Jarvis,  
Lane,

McDonald,  
Simpkins,  
Woods.

Nominations for Assistant Doorkeeper being declared in order,

Senator Garrison nominated W. T. Brewer of Rusk for the position.

Senator Upshaw seconded the nomination.

Senators Calhoun, Burney and Claiborne were appointed as tellers.

A ballot being taken, and receiving thirty votes, Mr. Brewer was declared elected and was sworn in.

A message was received from the House informing the Senate that the House had adopted the report of the joint committee to arrange for counting the vote for Governor and Lieutenant Governor, and the inauguration of said officers;

Also, that the House had adopted the Senate concurrent resolution relative to stenographic reports of the proceedings of the Twentieth Legislature.

By Senator Burney:

Joint resolution to amend section 2 of Article 6, of the Constitution of the State of Texas.

Referred to Committee on Constitutional Amendments.

By Senator Frank:

A bill entitled "An act to amend Article 746, chapter 2, title 17, of the Penal Code of the State of Texas."

Referred to Judiciary Committee No. 1.

And a bill to be entitled "An act to amend Article 378, chapter 6, title 2, of the Penal Code of the State of Texas, and to create Articles 378a and 378b of said chapter and title."

Referred to Judiciary Committee No. 2.

Senator Woods offered the following resolution:

Resolved, That the Secretary be requested to have printed for the use of the Senate two hundred copies containing a list of standing committees as revised.

Adopted.

By Senator Harrison:

An act to be entitled "An act to repeal chapter 45 of the Revised Statutes of the State of Texas, passed by the Seventeenth Legislature of the State of Texas," and approved March 15, A. D., 1881.

Referred to Judiciary Committee No. 1.

By Senator Camp:

An act to amend an act entitled "An

act to amend Article 3602, chapter 10, title 71 of the Revised Civil Statutes of the State of Texas, relating to the hiring of county convicts."

Referred to Judiciary Committee No. 1.

By Senator Douglass of Jefferson:

A bill to be entitled "An act to amend an act for the relief of Z. C. Collier, Thomas Collier and Wm. Ramer, passed by the Nineteenth Legislature of the State of Texas."

Referred to Judiciary Committee No. 1.

By Senator Glascock:

A bill to be entitled "An act to exempt and release the tax payers of certain counties therein named from the payment of all State taxes for 1886 and 1887, and to authorize the commissioners' court of said counties to exempt or release the tax payers thereof from a part or the whole of the county tax."

Referred to Special Drouth Relief Committee.

And a bill to be entitled "An act to amend Article 425 of the Penal Code to prevent certain destruction of fish."

Referred to Judiciary Committee No. 2.

And a bill to be entitled "An act to amend chapter 18 of the Revised Civil Statutes by adding thereto Article 1379a, as to filing statements of facts of cases on appeal."

Referred to Judiciary Committee No. 2.

By Senator Field:

An act to amend the Penal Code of the State of Texas, chapter 3 title 17, by adding thereto Article 683a, and to amend Article 683.

Referred to Judiciary Committee No. 1.

By Senator Lane:

A bill to be entitled "An act to amend Article 4822, title 97, of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

And a bill to be entitled "An act to require railroad corporations when they fence their right of way or have fenced it, to leave or make certain crossing or openings therein."

Referred to Committee on Internal Improvements.

By Senator Gregg:

A bill to be entitled "An act to compel railroad companies and other corporations to maintain public offices within the State of Texas, and providing what records and books shall be

kept thereat, and what said books shall contain, and requiring said books to be kept open for inspection and providing appropriate penalties for a failure to comply therewith."

Referred to Committee on Internal Improvements.

By Senator Terrell:

An act to amend an act entitled "An act to amend chapter 2, Article 566, of Revised Statutes, relating to corporations."

Referred to Judiciary Committee No. 1.

By Senator Calhoun:

An act to amend Articles Nos. 165, 166, 170, 171 and 172 of chapter 4, title 6 of the Penal Code of the State of Texas.

Referred to Judiciary Committee No. 2.

By Senator Allen:

A bill entitled "An act to establish a State publishing house, with provisions for its use."

Referred to Committee on Education.

By Senator Jarvis:

A bill to be entitled "An act to regulate the rental allowance for the use of telephones, and fixing a penalty for its violation."

Referred to Committee on Internal Improvements.

Senator Woods offered the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be instructed to arrange with the Sergeant-at-Arms of the House for an exchange daily of the advance sheets of the Journal of each body, and that a copy of the advance sheets of the Journal of the House, if furnished, be laid on the desk of each member of the Senate every morning as early as practicable.

On motion of Senator Claiborne, the resolution was adopted.

The President announced the appointment of John T. Flint of McLennan, general committee clerk.

Senator Houston moved the appointment of a committee of three to confer with a committee appointed by the House to divide the rooms in the third story of the temporary capitol.

Adopted, and the President appointed Senators Houston, McDonald and MacManus.

On motion of Senator Woods,

The Senate adjourned till 10 o'clock to-morrow morning.